(1) (15)

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR

M. A. (C) NO. 415 OF 2006 Single Bench

APPELLANT : Hemraj Verma Son of Shri Purushottam Verma, aged about 42years, Resident of Shrinagar (Shivanandnagar), Khamtarai, Raipur, Tahsil and District District Raipur (C.G.).

CLAIMANT

VERSUS

RESPONDENTS : 1. Agradas Son of Shri Gohar Singh Goyal, aged about 22 years, Resident of Village Antariya, Police Station Bemetara, District Durg (C.G.).

NON-CLAIMANTS

P.R. No. 3286/06
Presented by Shri M.K. Bhadur
dated 30/10/06

2. Inderjeet Singh Son of Shri Jasbir Singh, aged about 24 years, Resident of M.I.G.-C-161, Bhilai, Police Supela, Tahsil and District Durg (C.G.).

3. The New India Insurance Company, Through: The Divisional Manager, Division Office No.-1, Jail Road, Raipur, Tahsil and District Raipur (C.G.).

MEMO OF APPEAL UNDER SECTION 173 (2) OF THE MOTOR VEHICLE ACT, 1988

XI-HC-78

(16)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक ..M.A.C. No. 415 of **सन् 2006**

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

15.11.2006

Shri P.K. Tulsiyan, counsel for the appellant.

The only point raised by the learned counsel for the appellant in this appeal is for enhancement of compensation of Rs. 30,000/- awarded by the learned M.A.C.T. towards damages sustained by the Maruti-800 vehicle bearing No. CG 07/C/3534 is that the compensation awarded by the learned M.A.C.T towards damages is meager and cannot be said to be just and reasonable compensation.

However, learned counsel for the appellant admitted that he did not file and prove the actual bills which were paid by the claimant/appellant towards repairs undertaken in the aforesaid car. He also admitted that the person who actually undertook the work of repairs of the vehicle was also not examined. The contention of the learned counsel for the appellant is based only on an estimate for Rs. 90,000/- which had been filed before the learned M.A.C.T. which was not considered.

Having considered the above submission, I am of the considered opinion that in absence of any documents to prove the extent of actual repairs caused to the vehicle in question and payment made therefor, compensation of Rs. 30,000/- awarded by the learned M.A.C.T. cannot be faulted with.

In the result, this appeal being devoid of merit is dismissed, at the stage of admission.

C.C. as per rules.

Sd/-
Dilip Raosaheb Deshmukh
Judge

Priya

P.T.O.

21/11/06